

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOM TOTTE, CODY HITCH and
JOHN MERRELL, individually and
on behalf of others similarly situated,

Plaintiffs,

v.

Case No. 16-12850

QUICK LANE OIL & LUBE, INC., a
Michigan for-profit company, and
TALHA HARES, its owner,

Defendants.

HON. AVERN COHN

MEMORANDUM

On March 29, 2017, the Court granted plaintiffs' motion for conditional certification of a collective action under the Fair Labor Standards Act, (Doc. 7). (Doc. 33).

The decision contained the following provision:

. . . The Court will separately enter an order regarding collective action procedures attached to which will be the form of the opt-in notice to be sent to potential plaintiffs.

Within 30 days of entry of this decision, plaintiffs, after conferring with defendants, shall lodge with the Court a draft of the proposed order and form of notice. If there are objections, within 21 days of receipt, defendants shall lodge with the Court a redlined version with additions, deletions or modifications to the text in another color.

(Doc. 33 at 2-3).

The parties disagree on the form of the notice and order as to collective action procedures. In particular, they disagree on who will be responsible for sending, collecting and filing the notices.

Plaintiffs say their counsel should administer the notices. Defendants propose a third-party claims administrator.

The Court will accede to defendants' preference in this circumstance. The expense of the claims administrator shall be borne by the defendants.

Simultaneous with this memorandum, the Court has entered an order as to collective action procedures, attached to which is a notice of right to opt-in.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: April 28, 2017
Detroit, Michigan